

REMARKS

This Reply is in response to the Office Action mailed on April 9, 2008 in which claims 34-44 were allowed; in which claims 14 and 27-29 were objected to and in which claims 1-13, 15-26, 30-33 and 45-51 were rejected. With this response, claim 45 is amended and claims 52-53 are added. Claims 1-53 are presented for reconsideration and allowance.

I. Rejection of Claim 45-51 under 35 USC 112, First Paragraph

Page 2 of the Office Action rejected claims 45-51 under 35 USC 112, first paragraph, as allegedly constituting single means claims. In response, claim 45 is amended to no longer recite a single means element by itself.

With respect to claims 46-51, Applicants respectfully note that such claims are method claims, not means claims. Accordingly, the rejection of such claims is improper and should be withdrawn.

II. Rejection of Claims 1-5, 10, 11, 15-23 and 30-33 under 35 USC 102(B) Based upon Rourke

Page 2 of the Office Action rejected claims 1-5, 10, 11, 15-23 and 30-33 under 35 USC 102(b) as being anticipated by Rourke US Patent 5077795. For the reasons that follow, such rejections should be withdrawn.

A. Claim 1

Claim 1 recites an image forming system which includes: (1) an authorization granting interface coupled to a consumable resource and configured based upon authorized users of the resource; and (2) a processor configured to determine if a prospective user is authorized to use the resource based upon a received authorization input from a prospective user and interaction with the authorization granting interface.

Rourke fails to disclose (1) an authorization granting interface coupled to a consumable resource and configured based upon authorized users of the resource; and (2) a processor configured to determine if a prospective user is authorized to use the resource based upon a received authorization input from the prospective user and interaction with the authorization granting interface. In contrast, Rourke merely discloses a printing system security system which provides security with regard to programs of the printer or files or documents printed by the printer. (See column 1, lines 26-27 and column 7, lines 16-23. This security system is part of the printer itself and is not coupled to any consumable resource.

In rejecting claim 1, the Office Action refers to column 6, lines 48-57 for its assertion that Rourke discloses an authorization granting interface coupled to the resource and configured based upon authorized users of the resource. (Office Action dated April 9, 2008, page 3). However, column 6, lines 48-57 say nothing about an authorization granting interface (A) coupled to a consumable resource or (B) an authorization granting interface that is configured based upon authorized users of the resource. In contrast, the cited portion of Rourke merely states:

To control access to printing system 2 at a site and protect any sensitive data and files stored in the system memory, the security system of the present invention is provided. When invoked, a user in order to gain access to printing system 2 must authenticate himself by a special User Identification number (User ID). Where a password option is enabled, the user is also required to enter his password. As will appear, a Security administrator assigns the User ID while the user creates his own password when allowed to do so.

(Rourke, column 6, lines 48-57) (Emphasis added) Applicants respectfully note that nowhere does the citation say anything about an authorization granting interface being coupled to a consumable resource. Moreover, nowhere does the citation say anything about the authorization granting interface being configured "based upon authorized users of the resource." In contrast, it appears to be configured based upon authorized users of the entire printing system 2 at a site or based upon authorized users of sensitive data or files.

In rejecting claim 1, the Office Action further refers to column 7, line 16-23 for its assertion that Rourke discloses a processor configured to determine if a prospective user is authorized to use the resource based upon the authorization input and interaction with the authorization granting interface. (Office Action dated April 9, 2008, page 3). However, column 7, line 16-23 say nothing about a processor configured to determine if a prospective user is authorized to use a resource. In contrast, the cited portion of Rourke merely states:

The Site administrator typically establishes the programming features and functions that the site will have, the system default settings, i.e., restricting access to complex printer programming features to avoid printer downtime, restricting user access to pre-selected printer programming features to reduce personal use of the printer, etc., and has shared operating functions such as billing, accounting, etc.

(Rourke, column 7, line 16-23) (Emphasis added). Thus, the cited portion of Rourke merely discloses the determination of whether a user is authorized to use complex printer programming features. The cited portion says nothing about authorization to use a consumable resource. Accordingly, the rejection of claim 1 based upon Rourke should be withdrawn. The rejection of claims 2-5, 10-11, and 15-21, which depend from claim 1, should be withdrawn for at least the same reasons.

B. Claim 10

Claim 10 depends from claim 9 which depend from claim 1. Chapter 9 recites that the resource is contained within a cartridge. Claim 10 recites that the authorization granting interface includes a digital memory coupled to the cartridge.

Interestingly enough, claim 9 is not rejected under 35 USC 102(b) based upon Rourke. The Office Action seemingly concedes that Rourke does not anticipate claim 9. However, the Office Action rejects claim 10, which depends from claim 9 and inherently includes all of the limitations of claim 9, as being anticipated by Rourke. For this reason alone, the rejection of claim 10 should be withdrawn.

Moreover, the rejection of claim 10 should be withdrawn because Rourke does not disclose any authorization granting interface including a digital memory that is coupled to a cartridge containing a consumable resource. Nowhere does Rourke even remotely suggest that a security system is coupled to a printer cartridge.

In rejecting claim 10, the Office Action asserts that Rourke disclose a memory configured to receive and store authorization input. (See Office Action dated April 9, 2008, page 3). However, this is not what claim 10 recites. Accordingly, the Office Action fails to establish a *prima facie* case of anticipation with regard to claim 10. Thus, rejection of claim 10 should be withdrawn for at least these additional reasons.

C. Claims 16 and 17

Claim 16 depends from claim 15 which depend from claim 1. Claim 16 recites that the authorization granting interface is configured to grant varying levels of authorization to use of the resource.

Claim 17 depends from claim one and recites that the authorization granting interface is configured to grant during levels of use of the consumable resource.

Rourke says nothing about any authorization granting interface which retains to the use of a consumable resource. Rourke says nothing about any authorization granting interface that grants varying levels of use of a consumable resource. In rejecting claims 16 and 17, the Office Action refers to column 8, lines 7-16 of Rourke. The cited portion of Rourke specifically states:

Selecting "Privileges" 219 displays the privileges granted to the user as shown in FIG. 11. These consist of "Administration", "Service", and "Feature Access".

The Security administrator ordinarily has "Administration" privileges for "Security" while the Site administrator has privileges for "Site". A single person may have privileges for "Both". Special ID numbers prevent users from gaining access to the security and

administration functions performed by the administrator or administrators.

(Rourke, column 8, lines 7-16) (Emphasis added). Note from the underlying portions that the citation relied upon by the Office Action says nothing about granting varying levels of authorization **to use of a consumable resource**. In contrast, Rourke is strictly limited to administration privileges or site privileges. Accordingly, the rejection of claim 16 and 17 should be withdrawn.

D. Claim 22

Claim 22 recites a consumable resource access control unit. The unit includes a consumable resource and an authorization granting interface coupled to the consumable resource and configured based upon authorized users of the resource.

As noted above with respect to the rejection of claim 1, Rourke fails to disclose an authorization granting interface coupled to a consumable resource and configured based upon authorized users of the resource. In contrast, Rourke merely discloses a printing system security system which provides security with regard to programs of the printer or files or documents printed by the printer. (See column 1, lines 26-27 and column 7, lines 16-23. This security system is part of the printer itself and is not coupled to any consumable resource.

In rejecting claim 22, the Office Action refers to column 6, lines 48-57 for its assertion that Rourke discloses an authorization granting interface coupled to the resource and configured based upon authorized users of the resource. (Office Action dated April 9, 2008, page 3). However, column 6, lines 48-57 say nothing about an authorization granting interface (A) coupled to a consumable resource or (B) an authorization granting interface that is configured based upon authorized users of the resource. In contrast, the cited portion of Rourke merely states:

To control access to printing system 2 at a site and protect any sensitive data and files stored in the system memory, the security system of the present invention is provided. When invoked, a user

in order to gain access to printing system 2 must authenticate himself by a special User Identification number (User ID). Where a password option is enabled, the user is also required to enter his password. As will appear, a Security administrator assigns the User ID while the user creates his own password when allowed to do so.

(Rourke, column 6, lines 48-57) (Emphasis added). Applicants respectfully note that nowhere does the citation say anything about an authorization granting interface being coupled to a consumable resource. Moreover, nowhere does the citation say anything about the authorization granting interface being configured "based upon authorized users of the resource." In contrast, it appears to be configured based upon authorized users of the entire printing system 2 at a site or based upon authorized users of sensitive data or files. Accordingly, the rejection of claim 22 should be withdrawn.

E. Claim 23

Claim 23 depends from claim 22 and recites a cartridge containing the consumer resource, wherein the authorization granting interface is coupled to the cartridge.

Rourke does not disclose any authorization granting interface is coupled to a cartridge containing a consumable resource and that is configured based upon authorized users of the resource. Nowhere does Rourke even remotely suggest that a security system is coupled to a printer cartridge.

The Office Action fails to even address any of the limitations of claim 23. Accordingly, the Office Action fails to establish a *prima facie* case of anticipation with regard to claim 23. Thus, the rejection of claim 23 should be withdrawn for at least this additional reason.

III. Rejection of Claims 6-9, 12, 13 and 24-26 under 35 USC 103(a) Based on Rourke End the Examiner's Official Notice

Page 5 of the Office Action rejected claims 6-9, 12, 13 and 24-26 under 35 USC 103(a) as being unpatentable over Rourke US Patent 5077795 in view of the Examiner's official notice. Claim 6-9, 12 and 13; and claims 24-26 depend from claims 1 and 22, respectively, and

overcome the rejection for the same reasons discussed above with respect to the rejection of claims 1 and 22. The Examiner's official notice fails to satisfy the deficiencies of Rourke.

IV. Added Claims

With this response, claims 52 and 53 are added. Claims 52 and 53 are believed to be patentably distinct over the prior art of record.

Claims 52-53 each recite that the authorization granting interface is configured to remain coupled to unused portions of the consumable resource upon withdrawal of the unused portions of the consumer resource from the image forming device.

The prior art of record, including Rourke, fails to disclose such an authorization granting interface that remains coupled to unused portions of a consumable resource even when the unused portions of the consumable resource or withdrawn from the image forming device. Accordingly, claims 52 and 53 are presented for consideration and allowance.

V. Conclusion

After amending the claims as set forth above, claims 1-53 are now pending in this application.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No.

Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

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By Todd A. Rathe

RATHE PATENT & IP LAW
Customer No. 22879
Telephone: (262) 478-9353
Facsimile: (262) 238-1469

Todd A. Rathe
Attorney for Applicant
Registration No. 38,276